

Application No. 10/053298
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Statement of Clarification
Attorney Docket No. S63.2B-10429-US01

Remarks

This Statement of Clarification is in response to the Examiner's Amendment mailed **May 13, 2005**. Applicant thanks the Examiner for the courtesies extend to Applicant's undersigned representative during the telephonic interview on May 9, 2005, and for the minor amendments made to the claims.

Applicant would like to clarify Applicant's position with respect to the cancelled claims and the subject matter which the Examiner classified as new matter.

Applicant agreed to the cancellation of the subject matter which the Examiner classified as new matter and claims 7 and 9-12 only for the purposes of furthering prosecution of the immediate application. The subject matter and claims are cancelled without prejudice or disclaimer, and Applicant reserves the right to prosecute all cancelled subject matter in a subsequent application claiming priority to the immediate application.

Applicant does not acquiesce that the amendments to the specification and to Figure 1 filed on March 8, 2005 comprise new matter. It is Applicant's position that a person of ordinary skill in the art would have understood the subject matter to be supported by the original disclosure as of the filing date.

Further, Applicant does not acquiesce that any of the claims cancelled in the Examiner's amendment are unpatentable in view of the cited prior art.

If the Examiner would like to discuss this Statement of Clarification, the Examiner is invited to contact Applicant's undersigned representative.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: June 2, 2005

By: _____

Jeremy G. Laabs

Registration No.: 53170

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

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